OLL
83-1935   *Personnel*
Issues
Generals
78th

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

August 15, 1983

LEGISLATIVE REFERRAL MEMORANDUM

TO: Department of Health and Human Services
             Department of Justice
             Department of Labor
             Department of Transportation
             Department of the Treasury
             Pension Benefit Guaranty Corporation
             Council of Economic Advisers
             Central Intelligence Agency

SUBJECT: OPM's proposed report to the Senate Finance Committee
             on S. 888, "Economic Equity Act".

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than
<u>Friday, September 2, 1983</u>

Questions should be referred to Hilda Schreiber
(395-4650) or to Phoebe Felk   (395-3736),
the legislative analyst in this office.

Called Hilda Schreiber
2-9-83 in aft. & informed her
that we have "no objection"
to the views of OPM in
their report (per

Naomi R. Sweeney

Naomi R. Sweeney for
Assistant Director for
Legislative Reference

Enclosures

.6 September 1983
-OLL 83-2089

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with the Director and Deputy
          Director of Personnel Concerning Merit
          Pay Reform Legislation, S. 958

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1. On 2 September 1983 at 10:00 a.m. a meeting was held in
Director of Personnel McGee's office to discuss pending Merit
Pay Reform legislation. Also in attendance at this meeting

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were

Liaison Division, OLL; and the undersigned. At the
beginning of the meeting I informed Mr. McGee that, after

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consultation with [   ] a legal determination had been
made that the Agency would be exempt from the provisions of
S. 958 or from the provisions of Senator Ted Stevens' draft
substitute for S. 958. This is because both pieces of
legislation are governed by definitions of "agency" which
specifically exclude the CIA. (The operative definition for S.
958 is 5 U.S.C. subparagraph 5102(a)(1)(vi)); the operative
definition in Senator Stevens' draft substitute is subparagraph
7103(a)(3)(C)). Therefore, I will call James Cowen of the
Senate Governmental Affairs Subcommittee on Civil Service, Post
Office, and General Services to notify him that it is not
necessary for CIA to be specifically listed as exempt from the
merit pay provisions in Senator Stevens' draft legislation.

2. Since we were all gathered together Mr. McGee chose to
also discuss what CIA's response should be to OMB on the report
of the Office of Personnel Management (OPM), which objected to
section 109 of S. 888, the Economic Equity Act, which would
extend annuity benefits for former spouses, similar to those
now applicable to foreign service and CIA personnel serving
overseas, to all Civil Service employees on a government-wide
basis. After lengthy discussion, it was decided that our
response to OMB should be that we have no objection to the
views of OPM contained in their report.

3. Mr. McGee asked whether there was any language in the
FY 83 Intelligence Authorization Act pertaining to personnel
benefits. I indicated that I would check on this and let him
know. He also would like to know if there is anything in the
FY 84 Intelligence Authorization Act which will impact on
personnel benefits or allowances. He also asked that research
be done as to whether Representative Addabbo has taken any
action by letter or by legislation which would limit our
authority in the area of domestic travel.

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5. The final area of discussion concerned the call for suggestions from the Directorates for the Agency legislative program for the second session of the 98th Congress. Mr. McGee may be sending forward a proposal that the Agency again seek an exemption for our CIARDS mandatory retirees from section 301 of the Omnibus Budget Reconciliation Act of 1982 which penalizes individuals who retire prior to the age of 62 by a 50 percent reduction in their cost of living adjustment.

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cc:

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